



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,773	12/10/2001	Richard P. Junghans		2051

7590 09/15/2006

Richard P. Junghans, Ph.D., M.D.
One Lyndeboro Place
Boston, MA 02116

EXAMINER

SANG, HONG

ART UNIT PAPER NUMBER

1643

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/006,773

12/10/2001

Richard P. Junghans

EXAMINER

Hong Sang

ART UNIT	PAPER
----------	-------

1643

20060913

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The reply filed 6/26/06 is not fully responsive to the communication mailed 6/22/05 for the reasons set forth below.


The reply filed on 6/26/06 cancelled claims 1-9 and added new claims 10-21. New claims 19-21, drawn to a nucleic acid, a vector, a host cell and a method for treating proliferative diseases using the host cell, are directed to inventions that are independent or distinct from the invention originally claimed, which is drawn to an antibody.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, new claims 19-21 will be withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication should be directed to Examiner Hong Sang, Art Unit 1643, whose telephone number is (571)272-8145.

Hong Sang, Ph.D.
Art Unit 1643
Apr. 20, 2006


LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER